

H.R. 4611. An act to direct the Secretary of Homeland Security to issue guidance with respect to certain information and communications technology or services contracts, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-89. A concurrent resolution adopted by the Legislature of the State of Texas urging the United States Congress to pass the I am Vanessa Guillen Act, legislation ensuring that necessary changes are made, such as preventing conflicts of interest, requiring independent investigations that are conducted by trained investigators, establishing a confidential reporting option for sexual harassment that can convert to a formal complaint, and directing the Government Accountability Office to evaluate response procedures related to missing service members; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 51

Whereas, The brutal murder of Vanessa Guillén and the reaction on social media highlight the needed support to the military's response to sexual harassment, sexual assault, and missing persons; and

Whereas, Fort Hood soldier Vanessa Guillén had been missing for more than two months before her remains were discovered, and the investigation received widespread attention when law enforcement identified the suspect, a fellow military member whom Guillén was planning to formally accuse of sexual harassment; this prompted countless members of the U.S. military to share their personal experiences of sexual harassment and sexual assault on social media with the hashtag #IAmVanessaGuillen; and

Whereas, A close look at current military laws and policies reveals concerns, including conflicts of interest and limited options for reporting sexual harassment; too many military members have been failed by this system, and immediate action is imperative to avoid another tragedy; and

Whereas, To correct these issues, the I am Vanessa Guillén Act has been introduced in the U.S. House of Representatives; and

Whereas, The brave men and women who fight for our nation deserve access to justice, and Congress should listen to the service members calling for change in the aftermath of Vanessa Guillén's murder; now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to pass the I am Vanessa Guillén Act, legislation ensuring that necessary changes are made, such as preventing conflicts of interest, requiring independent investigations that are conducted by trained investigators, establishing a confidential reporting option for sexual harassment that can convert to a formal complaint, and directing the Government Accountability Office to evaluate response procedures related to missing service members; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-90. A concurrent resolution adopted by the Legislature of the State of Texas urging the United States Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 17

Whereas, Social Security is the foundation for retirement for tens of millions of American workers and their families, with many reporting that they rely on the program as their sole source of income; and

Whereas, Two Social Security provisions, however, the Government Pension Offset (GPO), enacted in 1977, and the Windfall Elimination Provision (WEP), enacted in 1983, severely and unfairly penalize recipients of public pensions; and

Whereas, The GPO effectively prohibits some government retirees from collecting both their own pension and full Social Security benefits as a surviving spouse; an estimated 9 out of 10 public employees affected by the GPO lose their entire spousal benefit, even though their spouses paid Social Security taxes for many years; and

Whereas, The WEP reduces the Social Security benefit for public employees who did not participate in Social Security while working for the government, but who at some time in their careers were in jobs where they paid Social Security taxes for the period required to qualify for retirement benefits; the WEP can deprive a retiree of nearly \$450 a month in Social Security benefits duly earned by that individual; and

Whereas, Although these provisions were intended to curtail the payment of windfall benefits to highly paid government employees, in practice they have had and continue to have devastating consequences for low-income employees who worked for many years as public servants; more than two million government employees and retirees are affected by either the GPO or the WEP or both, and the repercussions are felt most acutely in Texas and 14 other states where a high proportion of public employees participate in state or municipal retirement systems that do not include Social Security; and

Whereas, These punitive and discriminatory provisions target hundreds of thousands of teachers, police officers, firefighters, and other public servants; although the vast majority of Texas school employees participate in the state's teacher retirement system, and therefore are not required to and do not participate in the Social Security system, many Texas teachers and other public school employees nonetheless have earned Social Security benefits on their own behalf through other employment, the WEP notwithstanding, or would be entitled to spousal Social Security benefits based on their spouses' lifetime earnings were it not for the GPO penalty; these provisions cause veteran teachers to retire prematurely and discourage qualified individuals from entering the teaching profession at precisely the time that Texas and the nation face a severe shortage of highly qualified educators; and

Whereas, The GPO and WEP as applied to public employees are unreasonable and unjust and will cause tens of thousands of government retirees to experience a diminished quality of life or be forced to return to work to make up for the effects of these provisions; now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to

the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-91. A concurrent resolution adopted by the Legislature of the State of Texas urging the federal government to halt and reverse, effective immediately, its practice of assuming powers and imposing mandates and laws upon the states for purposes not enumerated by the Constitution of the United States of America; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 12

Whereas, Each member of the legislature has sworn a solemn oath to defend our United States and Texas Constitutions and takes great pride in being a citizen of the United States of America, where citizens have the right to petition their government for redress of grievances; and

Whereas, Section 1, Article I, Texas Constitution, states that "the perpetuity of the Union depend[s] upon the preservation of the right of local self-government, unimpaired to all the States"; Section 2, Article I, declares, "All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient"; and

Whereas, The Tenth Amendment to the Constitution of the United States of America reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, The Tenth Amendment to the Constitution of the United States of America defines the total scope of federal power as being that specifically granted by the U.S. Constitution and no more; and

Whereas, The Tenth Amendment to the Constitution of the United States of America means that the federal government was created by the states specifically to be an agent of the states with powers both limited and enumerated; and

Whereas, Today, in 2021, the states are demonstrably treated as agents of the federal government; and

Whereas, Many powers assumed by the federal government as well as federal laws and mandates are in direct violation of the Tenth Amendment to the Constitution of the United States of America; and

Whereas, The Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the Union of States, have always had rights that the federal government may not usurp; and

Whereas, Section 4, Article IV, of the United States Constitution says, "The United States shall guarantee to every State in this Union a Republican Form of Government," and the Ninth Amendment states, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people"; and

Whereas, The United States Supreme Court has ruled in *New York v. United States*, 505 U.S. 144 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, A number of proposals from previous administrations, as well as from Congress, may further violate the Constitution of the United States of America: Now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas hereby claim sovereignty under the Tenth Amendment to the Constitution of the United States of America over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States of America; and, be it further

Resolved, That this serve as notice and demand that the federal government, as our agent, halt and reverse, effective immediately, its practice of assuming powers and imposing mandates and laws upon the states for purposes not enumerated by the Constitution of the United States of America; and, be it further

Resolved, That all compulsory federal legislation not necessary to ensure rights guaranteed the people under the Constitution of the United States that directs states to comply under threat of civil or criminal penalties or sanctions or that requires states to pass legislation or lose federal funding be prohibited and repealed; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-92. A resolution adopted by the House of Representatives of the State of Texas urging the United States Congress to pass the "CHIPS for America Act" or any legislation that substantially increases the United States' investments in semiconductor manufacturing and research; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 1993

Whereas, Semiconductors, often referred to as "integrated circuits" or "microchips," are an essential component of nearly all electronic devices, including cell phones, televisions, computers, automobiles, and advanced medical devices; and

Whereas, Texas has been a world leader in the development of semiconductors since 1958, when Texas Instruments engineer Jack Kilby invented the world's first integrated circuit; and

Whereas, The semiconductor workforce of Texas is the second largest in the United States, and it is the sixth largest manufacturing sector in Texas, employing 41,500 Texans with an average annual salary of \$95,021; and

Whereas, The United States' share of global semiconductor manufacturing capacity has decreased from 37 percent in 1990 to 12 percent today, despite a global semiconductor shortage that has significantly increased demand; and

Whereas, On June 11, 2020, United States Senator John Cornyn and Congressman Michael McCaul introduced the Creating Helpful Incentives to Produce Semiconductors for America Act or the "CHIPS for America Act," which proposes investments for semiconductor manufacturing facilities, matches funds for local incentives for semiconductor facility construction, and supports semiconductor research and development; and

Whereas, On March 31, 2021, President Joseph Biden announced his support for the "CHIPS for America Act," or any proposal to invest \$50 billion in semiconductor manufacturing and research; and

Whereas, Semiconductor manufacturing and research have played an instrumental role in the economy of both Texas and the United States, and Congress should take swift action to ensure that the nation remains at the forefront of this vital industry; now, therefore, be it

Resolved, That the House of Representatives of the 87th Texas Legislature hereby respectfully urge the Congress of the United States to pass the "CHIPS for America Act" or any legislation that substantially increases the United States' investments in semiconductor manufacturing and research; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that it be entered into the Congressional record as a memorial to the Congress of the United States of America.

POM-93. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Congress to refrain from entering into any trade deals with the United Kingdom until its government investigates and prosecutes legacy killings as outlined in the Stormont House Agreement; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2520. A bill to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, and for other purposes (Rept. No. 117-42).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Rachel Jacobson, of the District of Columbia, to be an Assistant Secretary of the Army.

*Gabriel Camarillo, of Texas, to be Under Secretary of the Army.

*Andrew Philip Hunter, of Virginia, to be an Assistant Secretary of the Air Force.

*Corey Hinderstein, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

*David A. Honey, of Virginia, to be Deputy Under Secretary of Defense.

*Alex Wagner, of the District of Columbia, to be an Assistant Secretary of the Air Force.

Air Force nomination of Brig. Gen. Randall E. Kitchens, to be Major General.

Army nomination of Brig. Gen. William S. Lynn, to be Major General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at

the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Gloria A. Eze, to be Major.

Air Force nomination of Travis J. Burns, to be Lieutenant Colonel.

Air Force nomination of Christian M. Bergholdt, to be Colonel.

Army nominations beginning with Derrick H. Dunlap and ending with Rosilyn C. Woodard, which nominations were received by the Senate and appeared in the Congressional Record on October 5, 2021.

Army nomination of Michelle S. McCarroll, to be Lieutenant Colonel.

Army nomination of Marcus S. Snow, to be Colonel.

Army nomination of Augustine A. Dimoh, to be Major.

Marine Corps nomination of Joseph J. Endreola, to be Major.

Marine Corps nomination of John C. Morgan, to be Lieutenant Colonel.

Space Force nomination of Brian P. Moore, to be Lieutenant Colonel.

Space Force nominations beginning with Christina N. Gillette and ending with D S. Rogers, which nominations were received by the Senate and appeared in the Congressional Record on October 4, 2021.

Space Force nominations beginning with James W. Crossley and ending with Brendon P. Smersky, which nominations were received by the Senate and appeared in the Congressional Record on October 4, 2021.

By Mr. DURBIN for the Committee on the Judiciary.

Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 3035. A bill to establish the Artificial Intelligence Hygiene Working Group, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ROSEN (for herself and Ms. LUMMIS):

S. 3036. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to maintain a program that improves wildfire forecasting and detection, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON:

S. 3037. A bill to require elementary schools and secondary schools that receive Federal funds to obtain parental consent before facilitating a child's gender transition in any form, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3038. A bill to require the review by the Committee on Foreign Investment in the United States of greenfield investments by